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EXAMINER

LOO, JUVENA W

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/722,048	<b>Applicant(s)</b> STEWART, MARK ANDREW WHITTAKER	
	<b>Examiner</b> JUVENA LOO	<b>Art Unit</b> 2416	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 6, 16 and 18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15, 17, 19-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 5, 7-12, 17, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karp (5,469,154) in view of Foster et al. (US 2002/0181395 A1).

Karp discloses a multi-stage switching network for connecting any one of output ports to any one of input ports comprising the features:

Regarding claim 1, *a method, comprising:*

*providing a plurality of first stage switches (Karp: see Figure 6, first stage (20-10x20) crossbars);*

*providing a plurality of second stage switches coupled to each of the plurality of first stage switches (Karp: see Figure 6, second stage (20-20x5) crossbars), wherein the plurality of second stage switches are coupled to each of the plurality of first stage switches to form a CLOS network (Karp: see "FIG. 6 is a two-stage 100x100...input-output paths" in column 13, lines 49 – 55 and "A key property...being non-blocking" in column 14, line 63 through column 15, line 1);*

*providing a plurality of sources coupled to the CLOS network (Karp: see Figure 1, 2);*

*providing a plurality of destinations coupled to the CLOS network (Karp: see Figure 1, 3).*

*and wherein the forwarding instructions create a path between each of the plurality of sources and each of the plurality of destinations to make the CLOS network operate as a strictly non-interfering network (Karp: see “Multi-stage switching...a single input port” in Abstract).*

However, Karp does not explicitly disclose the features: *calculating a plurality of routing trees each routing tree comprising the plurality of switches; calculating a plurality of Destination Location Identifiers (DLID) and a set of forwarding instructions for each of the plurality of first stage and second stage switches, wherein each of the plurality of DLIDs corresponds to one of the plurality of routing trees and one of the plurality of destinations; and populating a forwarding table of each of the plurality of first stage and second stage switches in the CLOS network with the plurality of DLIDs and the set of forwarding instructions.*

Foster et al. discloses a technique for communicating data through a network comprising the following features:

*calculating a plurality of routing trees each routing tree comprising the plurality of switches (Foster: see Figure 11 and “FIG. 11 is a flow diagram...next virtual identifier”*

Art Unit: 2416

in page 15, section 0114; see also “in some embodiment...destination node” in page 12, section 0097);

*calculating a plurality of Destination Location Identifiers (DLID) and a set of forwarding instructions for each of the plurality of first stage and second stage switches, wherein each of the plurality of DLIDs corresponds to one of the plurality of routing trees and one of the plurality of destinations* (Foster: see Figure 11 and “FIG. 11 is a flow diagram...next virtual identifier” in page 15, section 0114; see also “in some embodiment...destination node” in page 12, section 0097); *and*

*populating a forwarding table of each of the plurality of first stage and second stage switches in the CLOS network with the plurality of DLIDs and the set of forwarding instructions* (Foster: see “Each IFM may maintain...are to be forwarded” in page 6, section 0060).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Karp using the features, as taught by Foster et al., in order to enable communication of data through a network to destinations (Foster: see page 3, section 0038).

Regarding claim 2, *wherein each of the plurality of destinations is identified by a BaseLID* (Foster: see Figure 1, Node N+1, 105 and Figure 2B, column 213).

Regarding claim 5, *further comprising:*

Art Unit: 2416

*creating a packet at one of the plurality of sources, wherein the packet is addressed to one of the plurality of destinations* (Foster: see Figure 7, 700; see also “The routine receives indications...appropriate information” in page 11, section 0093 and “as part of registering...appropriate destinations” in page 12, section 0097);

*executing a rearrangement algorithm for the CLOS network* (Foster: see Figure 7, 725, 730, and 735; see also “If it is instead determined...missing or incorrect” in page 11, sections 0094 – 0095; see also “as part of registering...to the destination node” in page 12, section 0097);

*assigning one of the plurality of DLIDs to the packet* (Foster: see Figure 7, 725, 73, 735, and 740; see also “If it is instead determined...translation table” in page 11, sections 0094 – 0095; see also “as part of registering...to the destination node” in page 12, section 0097); *and*

*the packet following a path from the one of the plurality of sources, through one of the plurality of first stages switches and one of the plurality of second stage switches, to the one of the plurality of destinations, wherein the one of the plurality of first stage switches and the one of the plurality of second stage switches forward the packet according to the one of the plurality of DLIDs assigned to the packet* (Foster: see Figure 7, 740 and “the routine continues to step 740...translation table” in page 11, section 0095).

Regarding claim 7, *wherein the packet following the path comprises looking up the one of the plurality of DLIDs assigned to the packet in the forwarding table in the*

Art Unit: 2416

*one of the plurality of first stage switches and in the one of the plurality of second stage switches along the path from the one of the plurality of sources to the one of the plurality of destinations* (Foster: see Figure 7, 740 and “the routine continues to step 740...translation table” in page 11, section 0095; see also “When the source node...destination-side ports” in page 12, section 0098).

Regarding claim 8, *wherein calculating the plurality of routing trees comprises calculating the plurality of routing trees sufficient to execute the rearrangement algorithm* (Foster: see Figure 7, 725, 73, 735, and 740; see also “If it is instead determined...translation table” in page 11, sections 0094 – 0095; see also “as part of registering...to the destination node” in page 12, section 0097).

Regarding claim 9, *wherein the packet following the path comprises the one of the plurality of first stage switches and the one of the plurality of second stage switches forwarding the packet in accordance with the one of the plurality of DLIDs assigned to the packet as found in the forwarding table in the one of the plurality of first stage switches and in the one of the plurality of second stage switches* (Foster: see Figure 7, 740 and “the routine continues to step 740...translation table” in page 11, section 0095; see also “When the source node...destination-side ports” in page 12, section 0098).

Regarding claim 10, *a method, comprising:*

Art Unit: 2416

*providing a plurality of first stage switches (Karp: see Figure 6, first stage (20-10x20) crossbars) and a plurality of second stage switches (Karp: see Figure 6, second stage (20-20x5) crossbars) coupling a plurality end nodes to one another to form a network, the plurality of second stage switches coupled to each of the plurality of first stage switches (Karp: see “FIG. 6 is a two-stage 100x100...input-output paths” in column 13, lines 49 – 55 and “A key property...being non-blocking” in column 14, line 63 through column 15, line 1);*

*and wherein the forwarding instructions create a path between each of the plurality of end nodes that enables the network operate as a strictly non-interfering network (Karp: see “Multi-stage switching...a single input port” in Abstract).*

However, Karp does not explicitly disclose the features: *calculating a plurality of routing trees comprising the plurality of first stage switches and one of the plurality of second stage switches; calculating a plurality of Destination Location Identifiers (DLID) and a set of forwarding instructions for each of the plurality of first stage and second stage switches, wherein each of the plurality of DLIDs corresponds to one of the plurality of routing trees and one of the plurality of end nodes; and populating a forwarding table of each of the plurality of first stage and second stage switches with the plurality of DLIDs and the set of forwarding instructions.*

Foster et al. discloses a technique for communicating data through a network comprising the following features:



*calculating a plurality of routing trees comprising the plurality of first stage switches and one of the plurality of second stage switches (Foster: see Figure 11 and “FIG. 11 is a flow diagram...next virtual identifier” in page 15, section 0114; see also “in some embodiment...destination node” in page 12, section 0097);*

*calculating a plurality of Destination Location Identifiers (DLID) and a set of forwarding instructions for each of the plurality of first stage and second stage switches, wherein each of the plurality of DLIDs corresponds to one of the plurality of routing trees and one of the plurality of end nodes (Foster: see Figure 11 and “FIG. 11 is a flow diagram...next virtual identifier” in page 15, section 0114; see also “in some embodiment...destination node” in page 12, section 0097); and*

*populating a forwarding table of each of the plurality of first stage and second stage switches with the plurality of DLIDs and the set of forwarding instructions (Foster: see “Each IFM may maintain...are to be forwarded” in page 6, section 0060).*

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Karp using the features, as taught by Foster et al., in order to enable communication of data through a network to destinations (Foster: see page 3, section 0038).

Regarding claim 11, *wherein the network is a CLOS network* (Karp: see “Multi-stage switching...a single input port” in Abstract).

Regarding claim 12, *wherein each of the plurality of end nodes comprises a destination, and wherein the destination is identified by a BaseLID* (Foster: see Figure 1, Node N+1, 105 and Figure 2B column 213).

Regarding claim 17, a method, comprising:

*providing a plurality of first stage switches* (Karp: see Figure 6, first stage (20-10x20) crossbars) *and a plurality of second stage switches* (Karp: see Figure 6, second stage (20-20x5) crossbars) *coupling a plurality destinations to a plurality of destinations to form a CLOS network, the plurality of second stage switches coupled to each of the plurality of first stage switches* (Karp: see “FIG. 6 is a two-stage 100x100... input-output paths” in column 13, lines 49 – 55 and “A key property...being non-blocking” in column 14, line 63 through column 15, line 1);

*and wherein the path is part of the CLOS network operating as a strictly non-interfering network* (Karp: see “Multi-stage switching...a single input port” in Abstract).

However, Karp does not explicitly disclose the features: *creating a packet at one of the plurality of sources, wherein the packet is addressed to one of the plurality of destinations; executing a rearrangement algorithm for the CLOS network; assigning one of a plurality of Destination Location Identifiers (DLIDs) to the packet; and the packet following a path from the one of the plurality of sources, through one of the plurality of first stage switches and one of the plurality of second stage switches, to the one of the*

Art Unit: 2416

*plurality of the destinations, wherein the one of the plurality of first stage switches and the one of the plurality of second stage switches forward the packet according to the one of the plurality of DLIDs assigned to the packet.*

Foster et al. discloses a technique for communicating data through a network comprising the following features:

*creating a packet at one of the plurality of sources, wherein the packet is addressed to one of the plurality of destinations* (Foster: see Figure 7, 700; see also “The routine receives indications...appropriate information” in page 11, section 0093 and “as part of registering...appropriate destinations” in page 12, section 0097);

*executing a rearrangement algorithm for the CLOS network* (Foster: see Figure 7, 725, 730, and 735; see also “If it is instead determined...missing or incorrect” in page 11, sections 0094 – 0095; see also “as part of registering...to the destination node” in page 12, section 0097);

*assigning one of a plurality of Destination Location Identifiers (DLIDs) to the packet* (Foster: see Figure 7, 725, 730, 735, and 740; see also “If it is instead determined... translation table” in page 11, sections 0094 – 0095; see also “as part of registering...to the destination node” in page 12, section 0097); *and*

*the packet following a path from the one of the plurality of sources, through one of the plurality of first stage switches and one of the plurality of second stage switches, to the one of the plurality of the destinations, wherein the one of the plurality of first*

Art Unit: 2416

*stage switches and the one of the plurality of second stage switches forward the packet according to the one of the plurality of DLIDs assigned to the packet (Foster: see Figure 7, 725, 730, 735, and 740; see also "If it is instead determined... translation table" in page 11, sections 0094 - 0095).*

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Karp et al. using the features, as taught by Foster et al., in order to enable communication of data through a network to destinations (Foster: see page 3, section 0038).

Regarding claim 19, *wherein the packet following the path comprises looking up the one of the plurality of DLIDs assigned to the packet in a forwarding table in the one of the plurality of first stage switches and in the one of the plurality of second stage switches along the path from the one of the plurality of source to the one of the plurality of destinations (Foster: see Figure 7, 740 and "the routine continues to step 740...translation table" in page 11, section 0095; see also "When the source node...destination-side ports" in page 12, section 0098).*

Regarding claim 20, *wherein the packet following the path comprises the one of the plurality of first stage switches and the one of the plurality of second stage switches forwarding the packet in accordance with the one of the plurality of DLIDs assigned to the packet as found in a forwarding table in the one of the plurality of first stage switches and in the one of the plurality of second stage switches (Foster: see Figure 7,*

Art Unit: 2416

740 and “the routine continues to step 740...translation table” in page 11, section 0095; see also “When the source node...destination-side ports” in page 12, section 0098).

3. Claims 3-4, 13-15, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karp (5,469,154) in view of Foster et al. (US 2002/0181395 A1) above, and further in view of Brahmaroutu (US 2003/0033427 A1).

Karp and Foster et al. disclose all the limitations as in paragraph 2 above. Karp and Foster et al. do not explicitly disclose the following features: regarding claim 3, *wherein each of the plurality of second stage switches comprises a spine node, and wherein calculating the plurality of routing trees comprises, for each spine node in the CLOS network, calculating a first shortest path from each spine node to each of the plurality of sources and each of the plurality of destinations*; regarding claim 4, *wherein each of the plurality of second stage switches comprises a spine node, and wherein each of the plurality of routing trees comprises a plurality of links that form a second shortest path from one of the plurality of sources or one of the plurality of destinations to [[a]] each spine node*; regarding claim 13, *wherein each of the plurality of second stage switches comprises a spine node, and wherein calculating the plurality of routing trees comprises, for each spine node in the network, calculating a shortest path from each spine node to each of the plurality of end nodes*; regarding claim 14, *wherein each of the plurality of second stage switches comprises a spine node, and wherein each of the*

Art Unit: 2416

*plurality of routing trees comprises a plurality of links that form a shortest path from each of the plurality of end nodes to [[a]] each spine node; regarding claim 15, wherein each shortest path is loop-less; regarding claim 21, wherein each of the plurality of first stage switches and each of the plurality of second stage switches is an INFINIBAND switch in compliance with an INFINIBAND Architecture Specification; regarding claim 22, wherein each of the plurality of first stage switches and each of the plurality of second stage switches is an INFINIBAND switch in compliance with an INFINIBAND Architecture Specification; regarding claim 23, wherein each of the plurality of first stage switches and each of the plurality of second stage switches is an INFINIBAND switch in compliance with an INFINIBAND Architecture Specification.*

Brahmaroutu discloses a mechanism to program forwarding tables comprising the following features:

Regarding claim 3, *wherein each of the plurality of second stage switches comprises a spine node (Brahmaroutu: see Figure 4), and wherein calculating the plurality of routing trees comprises, for each spine node in the CLOS network, calculating a first shortest path from each spine node to each of the plurality of sources and each of the plurality of destinations (Brahmaroutu: see Figure 6 and “FIG. 6 illustrates...recorded in TABLE 1” in page 5, sections 0040 – 0042; see also “TABLE 2 shows...the destination switch” in page 6, section 0047).*

Regarding claim 4, *wherein each of the plurality of second stage switches comprises a spine node* (Brahmaroutu: see Figure 4), *and wherein each of the plurality of routing trees comprises a plurality of links that form a second shortest path from one of the plurality of sources or one of the plurality of destinations to each spine node* (Brahmaroutu: see Figure 6 and “FIG. 6 illustrates...recorded in TABLE 1” in page 5, sections 0040 – 0042; see also “TABLE 2 shows...the destination switch” in page 6, section 0047).

Regarding claim 13, *wherein each of the plurality of second stage switches comprises a spine node, and wherein calculating the plurality of routing trees comprises, for each spine node in the network, calculating a shortest path from each spine node to each of the plurality of end nodes* (Brahmaroutu: see Figure 6 and “FIG. 6 illustrates...recorded in TABLE 1” in page 5, sections 0040 – 0042; see also “TABLE 2 shows...the destination switch” in page 6, section 0047).

Regarding claim 14, *wherein each of the plurality of second stage switches comprises a spine node, and wherein each of the plurality of routing trees comprises a plurality of links that form a shortest path from each of the plurality of end nodes to each spine node* (Brahmaroutu: see “Then the subnet manager...other switch” in page 5, section 0046).

Regarding claim 15, *wherein each shortest path is loop-less* (Brahmaroutu: see “The subnet manager...multiple LIDs” in page 6, section 0055).

Regarding claim 21, *wherein each of the plurality of first stage switches and each of the plurality of second stage switches is an INFINIBAND switch in compliance with an INFINIBAND Architecture Specification* (Brahmaroutu: see “According to...by the InfiniBand™ Trade Association” in page 2, section 0021).

Regarding claim 22, *wherein each of the plurality of first stage switches and each of the plurality of second stage switches is an INFINIBAND switch in compliance with an INFINIBAND Architecture Specification* (Brahmaroutu: see “According to...by the InfiniBand™ Trade Association” in page 2, section 0021).

Regarding claim 23, *wherein each of the plurality of first stage switches and each of the plurality of second stage switches is an INFINIBAND switch in compliance with an INFINIBAND Architecture Specification* (Brahmaroutu: see “According to...by the InfiniBand™ Trade Association” in page 2, section 0021).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Karp with Foster et al. using the features, as taught by Brahmaroutu, in order to program switch forwarding tables without any routing ambiguity (Brahmaroutu: see “The subnet manager...between switches” in page 6, section 0059).



4. Claims 24-25 and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karp (5,469,154) in view of Dell et al. (US 2002/0085578 A1) and further in view of Foster et al. (US 2002/0181395 A1).

Regarding claim 24, *a method, comprising:*

*providing a plurality of first stage switches (Karp: see Figure 6, first stage (20-10x20) crossbars);*

*providing a plurality of second stage switches coupled to each of the plurality of first stage switches (Karp: see Figure 6, first stage (20-10x20) crossbars), wherein the plurality of second stage switches are coupled to each of the plurality of first stage switches to form a CLOS network (Karp: see "FIG. 6 is a two-stage 100x100...input-output paths" in column 13, lines 49 – 55 and "A key property...being non-blocking" in column 14, line 63 through column 15, line 1);*

*providing a plurality of nodes coupled to the first stage switches and each operable to act as a source and a destination (Karp: see Figures 1, 2, and 3);*

*and wherein the forwarding instructions create a path between each of the plurality of sources and each of the plurality of destinations to make the CLOS network operate as a strictly non-interfering network (Karp: see "Multi-stage switching...a single input port" in Abstract).*

However, Karp does not explicitly disclose the features:

*receiving requests indicating dynamic allocation of the plurality of nodes to a plurality of sources and a plurality of destinations in a predetermined time window;*

*calculating a plurality of routing trees, each routing tree comprising the plurality of switches;*

*calculating a plurality of Destination Location Identifiers (DLID) and a set of forwarding instructions for each of the plurality of first stage and second stage switches, wherein each of the plurality of DLIDs corresponds to one of the plurality of routing trees and one of the plurality of destinations; and*

*populating a forwarding table of each of the plurality of first stage and second stage switches in the CLOS network with the plurality of DLIDs and the set of forwarding instructions.*

Dell discloses a switch fabric for routing data between an input stage and an output stage comprising the feature:

*receiving requests indicating dynamic allocation of the plurality of nodes to a plurality of sources and a plurality of destinations in a predetermined time window (Dell: see Figures 2, 3, and 12; see also "FIG.12 shows a block diagram...from other input devices" in page 8, sections 0111 - 0114).*

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Foster et al. using the feature, as taught by Dell, in

Art Unit: 2416

order to provide a mechanism for receiving multiple requests/bids and resolving collisions among bids for the same output (Dell: see page 8, section 0110).

Furthermore, Foster et al. discloses a technique for communicating data through a network comprising the following features:

*calculating a plurality of routing trees, each routing tree comprising the plurality of switches* (Foster: see Figure 11 and “FIG. 11 is a flow diagram...next virtual identifier” in page 15, section 0114; see also “in some embodiment...destination node” in page 12, section 0097);

*calculating a plurality of Destination Location Identifiers (DLID) and a set of forwarding instructions for each of the plurality of first stage and second stage switches, wherein each of the plurality of DLIDs corresponds to one of the plurality of routing trees and one of the plurality of destinations* (Foster: see Figure 11 and “FIG. 11 is a flow diagram...next virtual identifier” in page 15, section 0114; see also “in some embodiment...destination node” in page 12, section 0097); *and*

*populating a forwarding table of each of the plurality of first stage and second stage switches in the CLOS network with the plurality of DLIDs and the set of forwarding instructions* (Foster: see “Each IFM may maintain...are to be forwarded” in page 6, section 0060).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Karp using the features, as taught by Foster et al., in

Art Unit: 2416

order to enable communication of data through a network to destinations (Foster: see page 3, section 0038).

Regarding claim 25, *wherein each of the plurality of destinations is identified by a BaseLID* (Foster: see Figure 1, Node N+1, 105 and Figure 2B, column 213).

Regarding claim 28, *further comprising:*

*creating a packet at one of the plurality of sources, wherein the packet is addressed to one of the plurality of destinations* (Foster: see Figure 7, 700; see also “The routine receives indications...appropriate information” in page 11, section 0093 and “as part of registering...appropriate destinations” in page 12, section 0097);

*executing a rearrangement algorithm for the CLOS network* (Foster: see Figure 7, 725, 730, and 735; see also “If it is instead determined...missing or incorrect” in page 11, sections 0094 – 0095; see also “as part of registering...to the destination node” in page 12, section 0097);

*assigning one of the plurality of DLIDs to the packet* (Foster: see Figure 7, 725, 73, 735, and 740; see also “If it is instead determined...translation table” in page 11, sections 0094 – 0095; see also “as part of registering...to the destination node” in page 12, section 0097); *and*

*the packet following a path from the one of the plurality of sources, through one of the plurality of first stages switches and one of the plurality of second stage switches,*

Art Unit: 2416

*to the one of the plurality of destinations, wherein the one of the plurality of first stage switches and the one of the plurality of second stage switches forward the packet according to the one of the plurality of DLIDs assigned to the packet (Foster: see Figure 7, 740 and “the routine continues to step 740...translation table” in page 11, section 0095).*

Regarding claim 29, *wherein the packet following the path comprises looking up the one of the plurality of DLIDs assigned to the packet in the forwarding table in the one of the plurality of first stage switches and in the one of the plurality of second stage switches along the path from the one of the plurality of sources to the one of the plurality of destinations (Foster: see Figure 7, 740 and “the routine continues to step 740...translation table” in page 11, section 0095; see also “When the source node...destination-side ports” in page 12, section 0098).*

Regarding claim 30, *wherein calculating the plurality of routing trees comprises calculating the plurality of routing trees sufficient to execute the rearrangement algorithm (Foster: see Figure 7, 725, 73, 735, and 740; see also “If it is instead determined...translation table” in page 11, sections 0094 – 0095; see also “as part of registering...to the destination node” in page 12, section 0097).*

Regarding claim 31, *wherein the packet following the path comprises the one of the plurality of first stage switches and the one of the plurality of second stage switches*

Art Unit: 2416

*forwarding the packet in accordance with the one of the plurality of DLIDs assigned to the packet as found in the forwarding table in the one of the plurality of first stage switches and in the one of the plurality of second stage switches* (Foster: see Figure 7, 740 and “the routine continues to step 740...translation table” in page 11, section 0095; see also “When the source node...destination-side ports” in page 12, section 0098).

5. Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karp (5,469,154) in view of Dell et al. (US 2002/0085578 A1) and further in view of Foster et al. (US 2002/0181395 A1) and further in view of Brahmaroutu (US 2003/0033427 A1).

Karp, Dell, and Foster disclose all the limitation as in paragraph 4 above. Karp, Dell, and Foster do not explicitly disclose the features comprising: regarding claim 26, *wherein each of the plurality of second stage switches comprises a spine node, and wherein calculating the plurality of routing trees comprises, for each spine node in the CLOS network, calculating a first shortest path from each spine node to each of the plurality of sources and each of the plurality of destinations*; regarding claim 27, *wherein each of the plurality of second stage switches comprises a spine node, and wherein each of the plurality of routing trees comprises a plurality of links that form a second shortest path from one of the plurality of sources or one of the plurality of destinations to each spine.*

Brahmaroutu discloses a mechanism to program forwarding tables comprising the following features:

Regarding claim 26, *wherein each of the plurality of second stage switches comprises a spine node* (Brahmaroutu: see Figure 4), *and wherein calculating the plurality of routing trees comprises, for each spine node in the CLOS network, calculating a first shortest path from each spine node to each of the plurality of sources and each of the plurality of destinations* (Brahmaroutu: see Figure 6 and “FIG. 6 illustrates...recorded in TABLE 1” in page 5, sections 0040 – 0042; see also “TABLE 2 shows...the destination switch” in page 6, section 0047).

Regarding claim 27, *wherein each of the plurality of second stage switches comprises a spine node* (Brahmaroutu: see Figure 4), *and wherein each of the plurality of routing trees comprises a plurality of links that form a second shortest path from one of the plurality of sources or one of the plurality of destinations to each spine* (Brahmaroutu: see Figure 6 and “FIG. 6 illustrates...recorded in TABLE 1” in page 5, sections 0040 – 0042; see also “TABLE 2 shows...the destination switch” in page 6, section 0047).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Karp with Foster et al. using the features, as taught by

Art Unit: 2416

Brahmaroutu, in order to program switch forwarding tables without any routing ambiguity (Brahmaroutu: see "The subnet manager...between switches" in page 6, section 0059).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-5, 7-15, 17, and 19-23 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's argued, as in page 14, that "a non-blocking network, such as a CLOS network, does not by itself operate as a strictly non-interfering network". In reply, examiner would like to point out that, as in page 14 of the Remarks, the applicant stated that "A CLOS network is just a type of non-blocking network" and "In a SNIN, competing traffic sources do not attempt to use the same network resources at the same time. The implementation of a SNIN requires that resources be dedicated through the network in support of an active communication session. In order to accomplish this, non-blocking networks can be used". Karp discloses multi-stage switching networks for connecting any one of  $N_2$  output ports to any one of  $N_1$  input ports that are strictly non-blocking or are rearrange able to provide a wide-sense non-blocking connecting path between any one output port and any selected one of  $N_1$  input ports without restriction on the number of output ports which may selectively connect to a single input port (Karp: see Abstract). Karp further discloses the use of a control algorithm for signal path revision, when



Art Unit: 2416

necessary, allows each output port to select any input port and that the required non-interfering input-output paths will be set up regardless of the interconnection of other output-input ports (Karp: see column 3, lines 24 – 30). In other words, Karp discloses a switching network that can be configured to provide non-interfering input-output paths regardless of the interconnection of other output-input ports.

According to MPEP 2111 [R-5] Claim Interpretation; Broadest Reasonable Interpretation, “The Patent and Trademark Office (“PTO”) determines the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction “in light of the specification as it would be interpreted by one of ordinary skill in the art.”” and “The court held that the PTO is not required, in the course of prosecution, to interpret claims in applications in the same manner as a court would interpret claims in an infringement suit. Rather, the “PTO applies to verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art”. Since the claim only states that “the CLOS network operates as a strictly non-interfering network”, the rejection as stated in the above is appropriate.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUVENA LOO whose telephone number is (571)270-1974. The examiner can normally be reached on Monday - Friday: 7:30am-4:00pm.

Art Unit: 2416

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kwang Yao can be reached on (571) 272-3182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/JUVENA LOO/  
Examiner  
Art Unit 2416  
November 04, 2008

/Kwang B. Yao/

Supervisory Patent Examiner, Art Unit 2416